

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37037 of 2012

Arising Out of Andar PS.Case No. -21 Year- 2010 District- SIWAN

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Krishna Prasad @ Krishna Prasad Gupta, S/O Late Ram Prasad Sah, R/O Village-
Chandpur, Gamhariya, P.S.- Pachrukhi, District- Siwan

.... Petitioner/s

Versus

1. The State Of Bihar
2. Gautam Prasad Gupta, S/O Dinanath Sah, Resident Of Village+P.S.- Andar,
District- Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. K.K. Singh, Adv.

For the State : Ms. Anuradha Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 27-03-2015

The Petitioner seeks quashing of the part of the order dated 26.4.2012 passed by the Sessions Judge, Siwan, by which he has held that the charges cannot be framed under Section 138 of N.I. Act vide Criminal Revision No. 40 of 2012 in Trial No.3558 of 2011.

I find that it was for the good reason that the charges could not be framed under Section 138 N.I. Act.

Hence, finding no merit in the application, the same is rejected.

However, the Trial Court is directed to conclude the trial within a period of four months from the date of receipt of this order without giving unnecessary adjournment to any Party for which

reason, he is directed to send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order in connection with Andar P.S. Case No. 21 of 2010, to the Superintendent of Police, Siwan, and the Superintendent of Police, Siwan, is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

(Anjana Prakash, J)

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